

**REMARKS**

Claims 1, 7-8, 14, 16 and 21-24 are pending in this application. Claim 1, 8, 16 and 22 are amended to even more clearly distinguish from the cited references. Support for the amendment of the independent claims is found, for example, in the specification at page 18, line 26 - page 19, line 16. By this Amendment, withdrawn independent claim 15 is canceled without prejudice to or disclaimer of the subject matter recited therein. No new matter is added. Applicants reserve the right to file a divisional application to pursue the subject matter of claim 15.

The Office Action rejects claims 1, 8, 16 and 22-24 under 35 U.S.C. §103(a) over Nakayasu et al. (Nakayasu), U.S. Patent Application Publication No. 2002/0051178 A1, in view of Wiechers, U.S. Patent Application Publication No. 2002/0075509 A1; and rejects claims 7, 14 and 21 under 35 U.S.C. §103(a) over Nakayasu in view of Wiechers, and further in view of Ochiai et al. (Ochiai), U.S. Patent No. 7,085,763. The rejections are respectfully traversed.

The combination of Nakayasu and Wiechers fails to disclose, and would not have rendered obvious, the combination of features recited in independent claims 1, 8, 16 and 22, including that when it is judged that a number of one or more services included in a result of a first retrieval has not reached a lower limit number set as judgment criteria, a retrieval unit changes a geographic area which is to be searched to be wider to perform a second retrieval, as recited in independent claim 1 and similarly recited in independent claims 8, 16 and 22.

The Office Action acknowledges that Nakayasu fails to disclose these features, but asserts that they are disclosed by Wiechers. Applicants respectfully disagree. Wiechers discloses a printer selection system that performs a printer search routine 200 based on given network user parameters so that a selected network printer is at a minimum distance from the network user (see Fig. 3; paragraphs [0001] and [0012]). In step 225 of Wiechers' routine 200, an assessor 25 establishes a localized zone of printer candidates (Fig. 3; paragraph

[0025]). Specifically, the assessor 25 in step 225 searches for a group of printer candidates in the localized zone with respect to a network user locale 15 (Fig. 3; paragraph [0025]). The localized zone is a geographic region close to the network user locale 15 (paragraph [0025]). Based on the localized zone established in step 225, the assessor 25 in step 230 selects a printer candidate having the shortest distance to the network user locale 15 (Fig. 3; paragraph [0026]). In addition to having the shortest distance, the printer candidate must also satisfy other network user's parameters to be selected as the localized printer 25 (paragraph [0026]). However, if the printer candidate does not satisfy all of the required user printer parameters, the assessor 25 advances from step 235 in Fig. 3 to step 240, in which the rejected printer candidate is deleted from further consideration by the assessor 25, before looping back to step 230 to determine the next suitable printer candidate within the localized zone (paragraph [0027]). That is, the alleged "second retrieval" in Wiechers' routine 200 is performed within the same localized zone in which a first retrieval was performed. (Emphasis added). The assessor 25 does not change a geographic area which is to be searched to be wider to perform a second retrieval, as recited in independent claims 1, 8, 16 and 22.

Additionally, Nakayasu and Wiechers fail to disclose or render obvious the feature recited in amended claim 1, 8 and 22 and similarly in claim 16 "...wherein the retrieval unit retrieves a first service location included in a first geographic area...the retrieval unit retrieves a second service location included in a second geographic area in the second retrieval..." Wiecher's second search is limited to a single localized zone established in step 225 and does not search within a second geographic area. See paragraph [0027] and Fig. 3. If the first search of Wiecher is unsuccessful, the assessor 25 advances from step 245 to step 240 before looping back to step 230 to determine the next suitable printer candidate within the localized zone. See paragraph [0028] Wiecher defines localized zone as a "geographic region close to the network user locale." See paragraph [0025]. Wiecher's second search is

conducted in the original localized zone established in step 225, not a "second geographic area" as recited in claims 1, 8, 16 and 22.

Thus, the combination of Nakayasu and Wiechers fails to disclose, and would not have rendered obvious, that when it is judged that a number of one or more services included in a result of a first retrieval has not reached a lower limit number set as judgment criteria, a retrieval unit area which is to be searched to be wider to perform a second retrieval, as recited in independent claims 1, 8, 16 and 22. Therefore, independent claims 1, 8, 16 and 22 are patentable over the combination of Nakayasu and Wiechers.

Because claims 7, 14, 21, 23 and 24 incorporate the features of claims 1, 8, 16 and 22, respectively, and because Ochiai fails to overcome the deficiencies of Nakayasu and Wiechers, these claims also are patentable over the combination of applied references for at least these reasons, as well as for the additional features these claims recite. Thus, it is respectfully requested that the rejections be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of all pending claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

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Attachments:

Petition for Extension of Time  
Request for Continued Examination

Date: October 16, 2008

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